

London 1

**From:** Ballmann, Erica [REDACTED] on behalf of Peck, Lib Cllr [REDACTED]  
**Sent:** 05 May 2013 16:34  
**To:** [REDACTED]  
**Subject:** Lambeth Council response to the Publicity Code Consultation  
**Attachments:** Lambeth Cabinet submission in response to Publicity Code Consultation.pdf

Dear Mr Pickles,

Attached is a detailed response to the Publicity Code Consultation from the London Borough of Lambeth and as Leader of the Council I wanted to highlight a few key points and concerns.

We believe the proposals undermine localism and local democracy by putting ill-defined power over council-communications in the hands of a Secretary of State. This legislation will create a situation where a council will have to communicate with local people not only with regard to the Code, as at present, but with regard to the views of the Secretary of State in Whitehall at any given time.

Lambeth Council has transformed over the last 7 years and through our Cooperative Council approach, we focus on responding to the needs of our citizens by working with them. We believe our responsibility should be to our residents rather than Whitehall and that we are democratically accountable to them. These proposals suggest that national politicians and public servants always know what is best for residents without actually asking or communicating with them, whereas in Lambeth we believe that we need to inform, consult and work with residents to let them decide.

I know that many other local authority Leaders from across the political spectrum have concerns about these proposals because they are such an attack on localism. I do hope you will reconsider them.

Yours sincerely,

Councillor Lib Peck  
Leader, Lambeth Council

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16/05/2013



## Lambeth Cabinet submission in response to Publicity Code Consultation, 2013

Firstly we would like to state that the 7 principles set out in the Publicity Code provide a positive and helpful framework for local government communications. The code also recognises the importance of communicating with local people so they are informed about decisions and have the best possible information about services.

We also support the move to more transparent data and are committed to being as open about expenditure and decisions as possible.

It is within this useful framework of advice that we are able to determine how to successfully deliver against local people's priorities. Having been a one star authority we worked hard to become the most improved authority in the country by 2008. We have addressed all the savings targets as well as maintained a strong emphasis on front line delivery. We believe this is an attribute common to the vast majority of local authorities.

We believe that the intention to have strong local accountability is not achieved through the recommendations proposed. Our response is set out below.

### Questions:

1. Views on the proposed legislation are invited, and in particular do consultees see the proposals as fully delivering the commitment to give greater force to the Publicity Code by putting compliance on a statutory basis?

As an inner London authority representing over 300,000 residents with over 150 languages spoken we are fully aware of the need to provide information that is useful and relevant to local people.

It is the understanding of our communities and their needs that is an essential element of local democracy. As stated in the recommendation repeatedly it is the need for an effective local democracy that is important for local people. It therefore seems contradictory to then apply a one size fits all approach to all local government that does not appreciate the local context.

In Lambeth we responded to the recommendations in the revised code by removing our fortnightly newspaper, Lambeth Life. In all our residents surveys it was shown to be clearly the most popular means of getting information about the council with over 50% every year seeing it as their primary source of information. It also achieved an over 70% satisfaction rating by local people. However we changed to a quarterly magazine. Following this we reviewed our expenditure against specific projects and through residents surveys saw a fall in the levels of informed. In light of this we have determined to go back to a monthly magazine.

The format of the magazine is deliberately different to the local media. We have established a contract with a local paper in order for them to host our statutory

notices and in return we get two pages of advertorial per fortnight. This contract gives us an excellent rate for statutory notices that is saving money for the authority. Therefore our local understanding of the media industry and the needs of our communities have led to a situation where we are not competing with the local papers but have an agreed and sustainable relationship.

In the last year we have seen the introduction of a new local paper called the Brixton Bugle that is hoping to set up equivalents across other parts of the borough. This is alongside the Lambeth Weekender, The Post, The South London Press and the new online version of the Streatham Guardian. Therefore we have a thriving local media industry holding us to account that is actually growing. At the same time we are providing and meeting the needs of our local residents in relation to issues like reducing crime and waste, increasing recycling, supporting fostering and adoption and improving health.

We use the Publicity Code principles to guide us when producing our publication. It also means we do not require a lot of additional materials so therefore it is a cost effective way to communicate to our residents. The statutory code does not allow room for an understanding of the local context and in Lambeth we can see that our approach is not damaging the local media but is complementary to it.

It is the role of locally democratically elected politicians to make decisions about the issues that matter most to local people. There is an increasing recognition of the role that local government can play. The Council Tax benefit has been localised, Public health has been moved inside local authorities and we are rightfully being encouraged to take greater account of local needs around planning and growth.

This emphasis on localism is welcomed. However the proposals here give ill-defined power over council communications to a Secretary of State. Therefore communications may be limited from complementing the other responsibilities that we are being given and encouraged to take. It could lead to a situation where we know that we must address issues around HIV, teenage pregnancy and obesity but we may be limited both in when we can do this but also how we can do this.

As a guide to local communications a lot of the code is relevant and helpful. However by moving to a position of enforcement you create a potential conflict across policy areas. Where we are encouraged by one government department to increase the number of young people being adopted we are not then able to realise the targets because we are not able to frequently communicate with local residents. Recently 10 Downing Street gave us permission to film so that we could do promotion around the adoption of young black boys. This is a particular challenge in Lambeth and using our local knowledge we have created a positive and successful campaign. The proposed legislation here would limit the effectiveness of this work and even has the potential for it to be stopped altogether. Therefore the legislation has the potential to create a contradiction across government departments around what is achievable and this in turn must limit the effectiveness of enforcement.

There are already in place the means to challenge local communications. We are currently being challenged over a welfare reform poster that we produced. This is done through the politically impartial District Auditor. Power sits with that role to take

action based on their judgement. Therefore powers are already in place and avoid the accusation of being politically motivated. This seems to be a fundamental criticism of the publicity that local government might put out and therefore to reinforce the argument by creating more political power held centrally seems contradictory to the very intention behind it.

Our view is that there are sanctions already in place that are independent of political interference; that local knowledge is essential to understanding how and when to communicate with local residents; that the code has clear principles that are sensible and should be encouraged further; and that as responsibilities are handed to local government we should be in a position to respond to these effectively.

### **Localism and local democracy**

In the code it refers at section 11 to the role of Secretary of State being 'able to issue any such direction whenever he considers it appropriate to do so.' This legislation poses a threat to localism and local democracy in that it puts in the hands of a Secretary of State an ill-defined 'power of direction' of a local authority that he or she believes is not complying any part of the Code.

It is unclear how the role of Secretary of State will appreciate the concerns and issues of local people particularly where the content of our communications is in response to the needs of local people. This can include advice about services, supporting community cohesion such as after the riots in London two years ago or helping people into work which is a need for local people and a commitment across all levels of government. The legislation works on the assumption that one person will understand and empathise with all local needs across the whole country. This is not a realistic proposition and undermines any ability to apply the legislation in a fair and consistent manner.

The application of the code is based on interpretation. This is why as a set of guidelines they are helpful. However as a piece of legislation the application is based on the interpretation of one person. As the consultation states the proposal is created on the basis of a small number of authorities being perceived not to have complied with the guidance. Therefore legislation that is extremely difficult to apply, and is open to major inconsistency, is being proposed for the whole country. It is therefore disproportionate to the issues it claims it wants to address.

It is disappointing to see a centralising piece of legislation being proposed in direct contradiction to the declared 'localist' aims of this Government.

### **2. If there is alternative to the power of direction, how will this meet the aim of improved enforcement of the code?**

The question reveals the dilemma at the heart of the consultation. Local government is being asked to be more responsible and take on more powers. However the question is concerned about enforcement rather than enabling local government to be more effective about what it does.

In Lambeth we have adopted a policy of going more digital and making every contact count. We have developed a strong twitter community, we are redeveloping our website so that we can do more transactions online and we are targeting our communications to specific audiences based on their needs. We have also developed online print, a large photo asset bank and created a core set of service booklets to avoid a wide array of leaflets being produced. These developments have reduced communications expenditure by over 75% in the last 6 years. Therefore we are taking responsibility about value for money whilst being innovative and responsive to our communities needs. The proposals here do not acknowledge the self- management of local government communications. We do not require enforcement to be better at what we do. We need support, ideas, networks and collaboration.

Since the introduction of the Code in 1986, Londoners have been able to complain to the politically independent District Auditor if they believe that their local authority has acted without regard to the Code. We believe that residents being able to complain to an independent body protects their rights and there is no need to improve enforcement. It implies a lack of trust in the way we organise and manage communications that is not reflected in what is actually happening within local authorities.

3. This consultation invites evidence of the circumstances where the code was not met and the implications of this on competition in local media

As stated above we have a thriving local media in Lambeth. We have created a contract for our statutory notices and we have a diverse and growing media both in print and online.

There is no evidence that our monthly magazine is harming the local newspapers. It is clear that circumstances beyond local council publications are having a greater impact on the media industry. The development of digital media, the expense of paper stock, a limited amount of advertising revenue and expensive premises to work out of are more significant. Recently the South London Press moved from their old large offices to a smaller shop on the High Street. Therefore they are responding to the circumstances by managing their back office expenditure.

The 7 principles set out in the Code are positive illustrations of what local council publications are for. As stated in the consultation paper:

These principles are that local authority publicity should be lawful, cost effective, objective, even-handed, appropriate, have regard to equality and diversity, and be issued with care during periods of heightened sensitivity.

As an authority we work closely with the Legal Team to ensure we comply with the code; we have reduced our overall communications spend by over 75%; we have a hugely diverse borough that means we have to respond and reflect a wide variety of needs; we responded quickly and effectively to the riots of two years ago and to the recent helicopter incident in Vauxhall. In both circumstances communications complemented the activity of partner agencies such as the police and fire service.

We have the knowledge of our communities that means we can create appropriate communications to meet their needs; we have a system of accountability already in place; we are able to complement our local media rather than undermine them; and we are willing and able to take on responsibilities as part of the localism agenda.

We ask that that the proposals are not taken forward and instead is replaced by a real dialogue about improving communications in the future.

